



Lexington Historic Districts Commission

Application Instructions And Guidelines

Revised September 2003

LEGISLATION-Chapter 447, Acts of 1956, as amended by Chapter 185, Acts of 1958, Chapter 579, Acts of 1966, Chapter 268 Acts of 1978 and Chapter 375, Acts of 1982 and Chapter 426 of Acts of 2000 established four Historic Districts in Lexington: the Battle Green Historic District, the East Village Historic District, the Hancock-Clarke Historic District and the Munroe Tavern Historic District.

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<http://ci.lexington.ma.us/HDC/HDC.htm>

INTRODUCTION

The Lexington Historic Districts Commission (HDC) is concerned not just with the events of April 19, 1775, but rather with the architectural heritage and integrity of the town over more than two centuries of physical, social and commercial growth.

The four contiguous Districts follow the spine of Massachusetts Avenue from near the Arlington line, through the East Village and Lexington Center to Hastings Park. They include spurs just off the Avenue, up Hancock Street to the Hancock-Clarke House and down Muzzey Street to the former Hancock School. Since its establishment in 1956, the HDC has worked to maintain the architectural integrity of this core of the town, and these neighborhoods, with all their inherent diversity of style.

This diversity stems from the way the town has grown from an 18th century farming village to a mature 21st century suburb. The purpose of the HDC is not to recreate the 18th century, but to recognize

the changes that have taken place and honor history and the cohesiveness in architectural style of individual houses and, where appropriate, neighborhoods by preserving a framework of architectural design that reflects the best qualities of each period.

For this reason, these guidelines cannot be a prescriptive design manual of simple "do's" and "don'ts". Reasonable judgment is involved, from both the applicants and the Commission. Certain principles are fundamental, however, such as the use of original materials rather than modern substitutes. These guidelines list some examples of appropriate choices to be made.

The examples listed are by no means complete or definitive, but are included to illustrate points that are important to the architectural character of a building, a neighborhood and ultimately of the town as a whole.

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FORMS

Application

Legal Release Authorization

I. LOCATION OF THE FOUR HISTORIC DISTRICTS

Most of Massachusetts Avenue is in one of the Districts, starting just west of Hastings Park, encompassing part of Hastings Avenue, through the Center and ending at the westerly lot line of 421 Massachusetts Avenue. Also, any buildings on side streets within 200 feet off of Massachusetts Avenue in this location are in one of the Districts. Parts of Meriam and Oakland Streets are in the District. Bedford Street from the Common up to the Fire Station, Hancock Avenue and Hancock Street up to #45, as well as Brigham Road are in the Hancock-Clarke District. Also, Waltham Street up to #82 is in

a District as well as a portion of Raymond Street. Both the Waldorf School (old Adams School) and the Hancock School are in a Historic District.

A simplified map of the Districts is included in these Guidelines. The Town of Lexington zoning map is available for purchase or viewing at the Office of Community Development in the Town Office Building, if you are not sure your property is in one of the Districts. A listing of properties by address is also available.

II. APPLICABILITY OF THESE GUIDELINES

Under Massachusetts's law, the HDC must issue a **Certificate of Appropriateness** before any external alterations visible from a public way or place can be made to any building, structure or sign.

An **"external alteration"** is any change to the architectural features of any structure, including but not limited to, additions, demolitions, color or materials' changes, but also any added attachments, such as signs and banners and their related hardware.

A **"public way or place"** includes streets, private ways, alleys, walkways, cemeteries, parks and the bicycle path.

A **"building"** is defined as a "combination of materials having a roof and forming a shelter for persons, animals or property".

A **"structure"** is a combination of materials, other than a building or sign, such as a fence, wall, path, driveway or patio.

NOTE: It is important to understand that if any portion of your building or structure is within a Historic District, then the whole building or structure is deemed to be in the District.

III. APPLICATION PROCEDURES

Once an applicant has determined that he is located within one of the four historic districts and has decided he wishes to make some alterations to the exterior of his buildings or structures, including a color change or display of signage, it is necessary to apply for a hearing. A sample application form is attached to these Guidelines, and additional forms may be requested from the HDC Clerk or the Office of Community Development in the Town Office Building.

On the night of your hearing, the Commission will require five copies of the following information:

1. **Site Plan** showing existing buildings and structures and proposed changes.
2. **Scale Drawings** of the building project sufficiently complete such to allow for submission for a building permit. Written specifications for materials, including measurements, are required; plans must be permit-quality in detail. Design detail must be included. Floor plans are helpful to understand exterior design intent.

3. **Catalog Cuts** in lieu of drawings may be used to show storm windows, doors, light fixtures, fences and other manufactured products.
4. **Photographs** of the existing building showing the location of the changes. Photographs can be used to illustrate the history of a building and/or show a building in context to its neighbors. Photographs will be returned unless they are necessary to supplement the other information submitted at the hearing.
5. **Listing of All Exterior Materials and Colors** to be used and their locations, and where appropriate, samples. For example, please bring in the name, model number and, if

possible, a photocopy from a catalog for each particular product you are using.

The Lexington HDC will retain two copies of the submitted information for its files.

NOTE: By signing the "Application for a Certificate of Appropriateness" the applicant understands and agrees that at their convenience individual Commission members may visit the property to view the areas and details of proposed changes.

IMPORTANT: If there is a violation currently at your property, no applications will be accepted or reviewed by the HDC until the violation has been resolved.

IV. HEARINGS

The HDC traditionally meets the first Thursday of the month, beginning at 7:30 p.m. in the Selectmen's Meeting Room.

There are two types of hearings. The date, time and place of all hearings are posted in the Town Office Building. Hearings fall into the following categories:

1. **Informal Hearings** – This is an opportunity to come before the HDC with ideas and sketches to see if you are "on the right track". These hearings are usually held after all the formal hearings of the evening have occurred. If you are planning a major construction project such as an addition to your house or new construction, the informal hearing is mandatory and will save time and money. It will also cut down on the number of formal and continued hearings that will be required.
2. **Formal Hearings** – Formal hearings may be advertised, unadvertised, or continued hearings.
 - **Unadvertised Hearings** - Color changes and certain re-roofings fall into this category. All meetings are posted in the Town Office Building at least 48 hours before a meeting; your paperwork must be in the HDC Clerk's hands by that time.
 - **Advertised Hearings** - All other changes require an advertised hearing. Your application and waiver must be in the hands

of the HDC Clerk three weeks before hearings so that they may be advertised in the newspaper. You will sign a waiver so that the newspaper can bill you directly for the cost (approximately \$35); the HDC Clerk places the ad in the newspaper. **At this hearing you must bring all the documentation listed in Application Procedures.**

- **Continued Hearings** - In some instances the HDC will ask you to make adjustments to your plans; your hearing will then be continued for a determined length of time. There are no additional fees for this Continued Hearing.

NOTE: It is important to notify the Clerk if you will not be coming in as scheduled, as otherwise the Commission will be required to vote to deny your petition.

During the construction phase of a project, the HDC tries to keep the application open on a continued basis so that any changes to the original, approved plans may be brought up monthly. It is important for an applicant to realize that all exterior changes to the original, approved plans need approval before being implemented.

TIME LIMITS: Work must commence one year from the time the Certificate is signed unless an extension is requested and approved by the HDC.

V. KNOW YOUR BUILDING

What Is Meant by "Appropriateness?"

Every building has architectural features, or characteristics that make it look the way it does. Every building has walls, windows, a roof, and at least one door. The size, shape, materials and color of each of these elements help to define the style of the particular building. Appropriate changes or additions acknowledge and are sympathetic to the style of the original building and to the neighborhood of the building.

Say, for example, that you are the owner of a Cape-style house. It probably has a simple gable roof, is one story in height and has double-hung windows with a 6/6 window-pane configuration. It is covered in either shingles or narrow clapboards. An appropriate addition would repeat or play off of these architectural features. The addition would probably be one story in height with a similar roof line and eave line, have similar windows and be covered in similar materials. But proposing to add a two-story addition with tall, narrow windows and elaborate trim details would not be appropriate for your Cape, even though it would be acceptable for a Victorian-style house.

Materials

Natural materials, such as wood, glass, brick and stone are the preferred building materials in the HDC. These are the materials historically used in construction, and it is appropriate to use the same materials when building, renovating or expanding.

Synthetic materials, such as vinyl or plastic and usually aluminum, are generally not appropriate. These materials frequently try to imitate natural materials but usually with limited success. Synthetic materials often look "fake" or "cheap" because they do not have all the same properties as the original material and cannot be detailed in the same way.

Synthetic, substitute or imitation materials are often described as "no maintenance". Unfortunately, this means that the materials cannot be maintained. When the vinyl windows or aluminum siding or

plastic signs fade, chip, dent, scratch or crack, they cannot be repaired, repainted or repointed. They can only be replaced. Synthetic materials do not age gracefully. They are disposable, most with a relatively short life expectancy when compared to the natural materials they hope to replace. Vinyl, aluminum and plastic are better suited to construction that is completely rebuilt every 20 years or so. But the architectural fabric of the historic districts should be woven of wood, brick, stone and similar materials that will last generations when properly maintained.

Size

The size and scale of a proposed addition in relation to that of the existing and neighboring buildings will be evaluated. Additions or new construction should not overpower the original structures.

The following features should match or harmonize with the existing building and the neighborhood:

Eave Lines - Eave lines should align with the original house. An inappropriate proposal would attach a two-story addition to a one-story house.

Building Width, Depth and Height (referred to as "**Massing**") - A proper addition is not overwhelming. Its width, height and depth are similar in scale to the original structure. An inappropriate addition would be taller and wider than the original building.

Roof Configuration - A roof is one of a building's most prominent features and a key element in defining its style. Roof types include gable, hipped, mansard, shed and flat. Sloped roofs may have a shallow or steep pitch and a deep overhang or none. The rafter tails on sloped roofs may be exposed or they may be enclosed in a soffit. Proposed additions should match or harmonize with the roof style and details of the existing building.

VI. EXAMPLES OF ITEMS SUBJECT TO REVIEW

The following list of examples of the most frequent items subject to review should be considered to be a guideline only. It is not intended to be all-inclusive.

- additions/demolitions
- air conditioning units
- attachments to houses
- chimney caps
- construction of a building
- exterior lighting fixtures
- garden houses/storage sheds
- landscaping (fencing, walls, drive/pathways)
- mechanical and plumbing vents
- painting your house
- playsets
- roofing
- shutters and hardware (adding or deleting)
- siding
- signage
- skylights
- solar panels
- storm windows/doors/screens/awnings
- street furniture
- street numbers
- swimming pools
- windows

IF YOU ARE UNSURE WHETHER AN ITEM NEEDS A CERTIFICATE, PLEASE CHECK WITH THE HDC CLERK BEFORE STARTING WORK.

Some further explanation:

Air Conditioners - Permanent heating/air conditioning units situated on a concrete pad outside the house that are visible from a public way do require a Certificate. They are usually approved though some screening may be required.

Attachments To Houses - Window boxes and other attachments fall into this category.

Chimney Caps - If a chimney cap is necessary, “metal cage” type caps are generally not approved. There are several ceramic styles that can be approved; also it is possible to build a “table” out of brick and blue stone

Demolitions - Demolitions are seldom approved in the four historic districts. When applying for

approval to demolish a building, it is necessary to get approval of the footprint of the replacement building before the demolition will be approved. The importance of the old building to the streetscape, as well as its historical significance, will be considered by the Commission.

Garden Houses/Storage Sheds - The manufacturers of some garden houses may tell you that they do not need approval. This is not the case in the Lexington historic districts.

Landscaping - While the LHDC does not have jurisdiction over landscaping, per se, it does have jurisdiction over fences, walls, paths or driveways if they are visible from a public way. The Commission may also require plant screening for approval of an architectural element, such as fencing or permanent heat pump/air conditioning units.

Fencing - Natural fencing (hedges) is encouraged where possible. “Thin wire” fencing may be installed inside hedges to make them less child, pet, and ball permeable.

Fences of wood, stone, brick or iron are approved at times; vinyl fences are not an appropriate material in the Lexington historic districts. Fences across the front of a property are discouraged, especially across the front of a house.

Fences can require Board of Appeals approval; check with the Building Division in the Office of Community Development. The bibliography at the end of these guidelines lists a booklet on fencing styles that may be helpful.

Normally a side-yard fence should begin some distance back from the sidewalk. This distance is determined by the neighborhood context, in particular that between the two properties to be fenced.

Driveways may be made of several different materials: pea stone, brick, granite cobblestones (as well as precast concrete cobblestones and bricks), concrete and asphalt. The latter two are sometimes used with a border of cobblestone or brick, as well as with approximately the first five feet of driveway done with cobbles to soften the look of an asphalt driveway.

Pathways may be made of the above materials as well as bluestone or other flat stones with grass in between.

NOTE: There are brochures for pavement materials in the office of the HDC Clerk, also a list of some properties in the districts where one may view these materials.

Mechanical And Plumbing Vents – The HDC needs to approve vent caps, pipes and fan exhausts that will come through the roof or siding and their location. It is not recommended that they come through the front siding or roof elevation.

Painting Your House - If you wish to repaint the outside of your house with its current color, no hearing is required.

If you wish to paint your house white,* no hearing is required, although it is appropriate that the Office of Community Development be notified of this change.

***white:** white basically means “white”. There are many off-shades of white with specific names, such as Benjamin Moore Montgomery White, which are really very definite colors; these colors need an “unadvertised, formal” hearing. (See **Application Procedures**.)

The HDC is quite flexible on color changes; however, there are occasions when a color may be refused because of the colors of adjacent houses, or the style of architecture or the age of the house. Please bring in both the color names and numbers, also a sample on a slab of wood.

NOTE: Many color samples are not the same on a chart as they are when made up. It is advisable to get a small can made up of your preferred colors and paint them on a slab of wood to bring to your hearing. You can also paint a small portion of the side or rear section of the house to check out the colors. The HDC often requires this and will visit the site to review the colors.

A chart of some historical colors is available at the office of the HDC Clerk.

Play Sets - Play sets are usually approved but for a certain number of years only; an extension of the number of years may be applied for and usually granted.

Roofing - No hearing is required if the re-roofing is exactly the same as the old: color, material, treatment

of flashing and valleys, drip edge and/or vents. If only a color change is requested, an **Unadvertised Hearing** will be required; if any of the other above-mentioned items is being added or changed, an **Advertised Hearing** will be required.

Shutters – A hearing is required to remove or add shutters on the exterior. Appropriate fasteners will be required (please do not simply plan to nail the shutters to the house). Shutter size is an important component; they should be one-half the size of the window so that they can close and cover the height of the window. The louvers should be aimed up.

Siding – The HDC does not generally look favorably on the use of aluminum or vinyl siding in Lexington.

Signs - Signs in the business districts of the historic districts come under the purview of the HDC, as well as signs on institutions and residential properties. Not only the sign, but also the hardware used to install it will be reviewed before a Certificate of Appropriateness will be granted.

There are several buildings that have their own sign guidelines. These are the Manhattan Building on Waltham Street, the Giroux Building on Massachusetts Avenue/Meriam Street/Depot Square, the Spaulding-managed buildings (Lexington Square, 1646 and 1656 Massachusetts Avenue), the Salter Building, and the Mews on Muzzey Street. The Commission strives for consistency with signage on any building.

Temporary signs – There are three types of temporary signs: those for real estate, for official town celebrations and for charity drives.

For real estate sales or rental of real estate please refer to the Town Bylaws at the Office of Community Development for any required permits for same.

For a specific official celebration or for any charity drive, **a sign or banner** does not generally require a Certificate of Appropriateness; however, for **multiple signs or banners** and/or for an extended length of time (more than 30 days), the Commission requires a formal hearing. All signs or banners must be removed within 3 days following the event, unless a Certificate is issued which states differently. For a charity drive of short duration the Commission expects a letter to be sent to the Commission a month before the event, and a letter of acknowledgement will be sent in return. If you are going to have the same charity event

or celebration each year, and at the same time, the letter may state same, so that a new letter does not need to be sent yearly.

Signs tend to change frequently, and the attachment of a sign should be reversible to permit later restoration of a building. For example, drilling into brick is discouraged; lettering should be drilled into mortar so that the building is not damaged permanently.

Approval of a given sign shall be limited to the owner of the business or the building and shall not be transferable to another business. For example, signs should be removed, or resubmitted, when the operation or purpose of the advertised business changes or when a new owner comes in and changes the name of the business.

Exterior walls of buildings shall not be used for display of merchandise or for temporary advertising boards, including banners.

Neon signs are not appropriate for signage in any of the historic districts.

Blade signs (projecting signs) are reviewed on an individual basis. They are considered a "hardship" item, as they are only approved when it is important to notify people of a business in a difficult location or sometimes when there are two businesses at one location.

Banners (and flags) are considered signs, and they and their hardware require a certificate. The only banners that do not need a hearing are those for a town celebration or for a charity drive - see above.

Awnings and canopies are considered attachments to buildings and will also be considered signage if they have anything written on them. They are rarely approved, as they are difficult to maintain: they mildew, fade and are difficult to keep clean; occasionally they rip or are even pulled off in high winds. There have been many cases where the business owners have not taken care of them. Also, they can block the view of other businesses if not properly designed. If they are approved, their hardware is subject to review also.

A **menu box** requires a hearing before the Commission. It is only approved if the owner will use it for a menu only, no advertising or restaurant reviews.

Historical markers require a certificate.

Skylights - Skylights require HDC approval. The Commission is sensitive to the number and size; also, skylights on a front elevation will probably not be permitted.

Storm Windows And Doors - Storm windows may be wood or aluminum; if using aluminum, the frames should be painted to match the trim color. Storm doors of wood will usually be approved. It is sometimes possible to weather-strip your front door well enough to preserve this architecturally significant aspect of a property without a storm door.

Street Furniture - Miscellaneous public street furniture, such as traffic and light boxes, vending machines (newspaper boxes), trash receptacles, telephone panels/booths, planters, and outdoor furniture for food establishments, including umbrellas are subject to HDC review and shall be appropriate in scale, design, materials and color.

The Commission does not generally approve of merchants in the historic districts placing items for sale on the exterior of their businesses, except for some special events, such as Discovery Day.

Street Numbers - Street numbers are highly recommended on all buildings by both the Fire and Police Departments for safety reasons. If your property does not already have numbers, please add them. Black metal and brass numbers are appropriate on any building.

Windows - The Commission prefers that old windows be repaired rather than replaced, especially on significant older houses. The muntin size, wavy glass, bubbles and sometimes the tint are important to the historic character of a building. If replacing windows, the Commission will favor "true-divided lights" rather than pop-in grids or dividers. Only clear-paned, non-tinted glass shall be used (except to replace original stained glass) in houses. Mirrored and tinted, heat-reflective glass are not appropriate.

VII. RESPONSIBILITIES OF LEXINGTON HISTORIC DISTRICTS COMMISSION, LEXINGTON HISTORICAL COMMISSION, and LEXINGTON HISTORICAL SOCIETY

There are three organizations in town that are involved in historic preservation and they are often confused with each other. They are: Lexington Historic Districts Commission, Lexington Historical Commission and Lexington Historical Society.

The **Lexington Historic Districts Commission** was established by a special act of the State Legislature under Chapter 447 of the Acts of 1956, as amended. It has jurisdiction over the four registered historic districts in the town. Its purpose is "to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of historic buildings, places and districts through the development of appropriate settings for said buildings, places and districts and through the maintenance of said buildings, places and districts as landmarks of historic "interest." The HDC consists of five commissioners nominated by the Lexington Historical Society, the Cary Memorial Library, the Arts and Crafts Society and the Board of Selectmen; as well as four associate commissioners nominated by the Lexington Historical Society, the Cary Memorial Library and the Arts and Craft Society. The Board of Selectmen appoints all Commissioners.

The Commission is responsible for approving all exterior architectural changes to **buildings** and **structures** within the four historic districts, including demolition, construction, exterior renovation, color changes and signs. The Commission meets once a month, and anyone aggrieved by a decision of the Commission may appeal to the Middlesex Superior Court.

The **Lexington Historical Commission** is a five-member board appointed by the Town Manager with Board of Selectmen approval. It holds public hearings with respect to any proposed demolition that is not in one of the historic districts.

The hearing begins a period during which the petitioner must make at least a six-month good faith effort to restore or find someone else to restore the building. If this process is not followed, the building inspector cannot issue a building permit for two years. The Commission was established under Massachusetts General Laws Chapter 40, Section 8D for the preservation and development of the historical, architectural and archeological assets of the Town. It maintains an inventory of all buildings, areas and sites of architectural and/or historical importance in the town. Since it collects information concerning architectural styles, preservation technology and financial benefits for historic preservation, anyone applying to place a property on the National Register should first contact the Commission. The current inventory is available to the public in Cary Library and at the Planning Office at Town Hall and is nine volumes under the title "Comprehensive Cultural Resources Survey of Lexington". The Commission is authorized to acquire, in the name of the town, ownership of any real or personal property of significant historical value and may manage the same, although at present no property is in this category.

The **Lexington Historical Society** is a non-profit corporation that manages the three museum houses in the town: the Buckman Tavern, the Hancock-Clarke House and Munroe Tavern. Its mission statement is "...the preservation of such knowledge and of such documents, photographs, other artifacts, and landmarks as illustrate (Lexington's) history." It has a large archival space that contains information about Lexington's residents and produces many programs of historical interest each year, which are free to the public. The Lexington Historical Society recently acquired the Lexington Depot in the Center and is in the process of renovating it.

VIII. BUILDING DIVISION, BOARD OF APPEALS, and DESIGN ADVISORY COMMITTEE

The **Office of Community Development** (Building Division and Board of Appeals) is located in the rear of the lower level of the Town Office Building. Information on building permits, zoning issues, and Board of Appeals hearing applications can be found here; and, the Building Commissioner, Zoning Enforcement Officer, and Administrative Clerk to the Board of Appeals are located here. HDC information is found in the HDC clerk's office, but is also available in the Office of Community Development.

It is sometimes necessary for you to go before the **Board of Appeals** as well as the HDC when planning work on a property. The Board of Appeals hears applicants who wish to do something that is not allowed by right, in accordance with the current Zoning By-Law. Following is a general list of the occasions when you will need to visit the Board of Appeals. It is always appropriate, however, and recommended, that you check with the Board of Appeals Clerk or the Zoning Officer to be sure approval is not needed if you have any doubt.

Businesses - Following is a list of permits that require Board of Appeals approval:

- Free-standing or Hanging (blade) Sign
- Attachment to a Building, such as awnings, canopies, and banners
- Excess signage - please check the section of the Zoning By-Law pertaining to signs. The Zoning

By-Law usually allows two signs without a Board of Appeals hearing; however, the size or location of a sign may also trigger the need for a hearing.

Residences - In order to do a construction project, a building permit is required. If a project is not in compliance with the current Zoning By-Law, Board of Appeals approval is needed, as well as HDC approval. Such items as driveway location, setback regulations, fence and building height may require a Board of Appeals hearing, in addition to the items listed above.

NOTE: It is important to understand that if you must go before both the Board of Appeals and the HDC, approval from one Board will be contingent on the other Board's approval. It is not always automatic that one will receive approval from both boards.

The **Design Advisory Committee** (DAC) is an advisory committee appointed by the Board of Selectmen. On occasion, at the Selectmen's request, it will do design work on Town projects. Also, the Board of Appeals requests its advice on architectural elements, including signage, outside the historic districts.

IX. MAP

(In the process of developing map of 4 historic districts.)

X. BIBLIOGRAPHY

The following publications may be useful in identifying architectural styles, background or information about Lexington, also resources for building materials.

Beverly Allison Kelley. *Lexington: A Century of Photographs*. Massachusetts: Thomas Todd Company, 1980

*James C. Massey and Shirley Maxwell. *House Styles in America*. Penquin Studio. "The old house journal guide to the architecture of American homes."

*Virginia & Lee McAlester. *A Field Guide to American Homes*. New York: Alfred Knopf, 1993. "This guide enables you to identify and place in their historical and architectural context the houses you see in your neighborhood."

**Book of Designs*. Brockway Smith Company, 2000 edition

Revelations of New England Architecture. People and Their Buildings. New York. Grossman Publishers, 1975

**Walpole Woodworkers Catalog*

This Old House Magazine

Old House Journal

*These resources are available for you to peruse in the Office of the Clerk of the Commission. There are various catalogs for paint colors, storm and screen doors, and for driveway materials also available in the Office.